

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 23-cr-313 (PJS/TNL)

Plaintiff,

v.

ORDER

Ramiro Guerra,

Defendant.

This matter comes before the Court on Defendant Ramiro Guerra's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 16. Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under Speedy Trial Act, ECF No. 17.

Defendant requests that the April 16, 2024 motions-filing date be continued to June 7, 2024. Defendant requests that the motions hearing presently set for May 7, 2024, be continued as well. Defendant states that the parties are currently exploring possible resolution of this matter and "need more time to continue the discussion." ECF No. 16 at 1. The Government has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 16, is **GRANTED**.

2. The period of time from **the date of this Order through June 7, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **June 7, 2024**. *See* D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. **Counsel must electronically file a letter on or before June 7, 2024, if no motions will be filed and there is no need for hearing.**

5. All responses to motions must be filed by **June 21, 2024**. *See* D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses must be filed by **June 21, 2024**. *See* D. Minn. LR. 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses must be filed by **June 26, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or

b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **July 10, 2024, at 9:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

10. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief District Judge Patrick J. Schiltz to confirm the new trial date.**

Dated: April 25, 2024

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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